

## **CHAPTER 6 — CLASSIFICATION**

### **ARTICLE 1 — RECEPTION CENTERS**

*Revised July 26, 2004*

#### **61010.1 Policy**

Penal Code (PC) § 2900 provides that defendants sentenced to state prison shall be delivered to the custody of the Director at the place designated by the Director to serve the term of imprisonment ordered by the court.

#### **61010.2 Purpose**

This section establishes standard procedures for the orderly reception, processing and transfer of inmates into the California Department of Corrections' (CDC) institutions.

#### **61010.3 Reception Center (RC) Processing**

CIM, CCI, DVI, HDSP, NKSP, RJD, SQ, and WSP are designated to receive and process male felons committed to the jurisdiction of the CDC.

CIW, CCWF, and VSPW are designated to receive and process all female felons committed to the CDC.

##### **Reception of Condemned Males**

Condemned male inmates shall be received and housed at SQ.

##### **Reception of Condemned Females**

Condemned female inmates shall be received and housed at CCWF.

##### **Reception of Civil Addicts**

Female and male civil addict commitments shall be received at CRC and processed in accordance with the Narcotic Addict Evaluation Authority procedures.

#### **61010.4 RC Processing Staff - Responsibility**

RC staff shall collect social and criminal history information on each inmate received by the CDC as well as interview and test all newly received inmates.

##### **Social History/Staff Reports**

The counselor shall complete an Institutional Staff Recommendation Summary (ISRS) or CDC Form 816, CDC Form 812, CDC Form 839, or CDC Form 840, or CDC Form 841, and the Social Factor Sheet, all of which are explained in detail in DOM §§ 61010, 61020 and 61030.

##### **Institution Gang Investigator (IGI) Referral**

The counselor, in conjunction with the IGI shall also complete a CDC Form 812-A, Notice of Critical Information - Prison Gang Identification, as required.

##### **Prison Gang Involvement**

Inmates shall be advised that any involvement with a prison gang may result in segregated housing placement.

##### **United States Immigration and Naturalization Service (USINS) Referral**

The counselor shall refer all inmates, including parole violators, who are foreign born, to the USINS for deportation hold determination by completing a CDC Form 850, Detainer Summary.

##### **Psychiatric/Medical Referral**

Inmates shall be referred to psychiatric and medical staff as necessary for diagnosis, treatment, or recommendations.

##### **Inmate Orientation**

RC processing provides the inmate with an orientation to prison life, introduction to available programs and initial preparation for release.

#### **61010.5 Notification of Rules and Available Programs**

Within 14 days of arrival at an RC, inmates shall be furnished written information concerning program availability for reduction of sentences as required by PC § 2930. Inmates shall be issued a current copy of the California Code of Regulations (CCR) and treatment programs available at each institution.

#### **61010.5.1 Documentation in C-File CDC Form 128-O**

Each inmate shall sign a CDC Form 128-0, Chrono-Document Receipt, indicating receipt of notification of rules and available programs. A copy of the signed CDC Form 128-0 shall be placed in each inmate's C-file.

#### **61010.6 Withdrawal of Inmate Trust Funds**

Counselors involved in the processing of initial commitments to the CDC and the readmission processing of parole violators or persons returned to the CDC shall determine if the inmate has or anticipates any outstanding debts or other financial obligations which may require funds be withdrawn from their trust account for transmittal to any business, agency, or individual. This does not include withdrawals for purchases or for other payments/reimbursements to the CDC, nor does it include any debt or financial obligation, which will be met for the inmate by other means. A summary of this determination shall be noted on the CDC Form 825, Trust Withdrawal Case Information.

#### **61010.7 RC Transfers**

##### **General**

Transfers from the RCs shall be based on the recommendations of the counselor and supervising counselor, or classification committees subject to Classification Staff Representative (CSR) approval.

#### **61010.8 CDC Form 839, 840, and 841**

Classification and reclassification of inmates will normally be made pursuant to the CDC Inmate Classification Score System, except when in the exercise of the discretion and judgment of departmental officials it is deemed necessary to deviate from that classification score system. Deviations from the system shall be made on an individual case for the purpose of ensuring the safety of inmate(s), correctional personnel, and the general public as well as for special institutional and/or programming needs.

##### **61010.8.1 When to Use the CDC Form 839**

##### **Processing Newly Received Felon Inmates**

All felon inmates, who are newly received in the CDC, shall be scored on a CDC Form 839. An inmate who has served a prior term in the CDC, but whose commitment is subsequently discharged, shall be processed as a newly received felon inmate. Parole Violators will not be scored on the CDC Form 839. Parole Violators Returned to Custody (PVRTC) and Parole Violators With a New Term (PVWNT) will be scored on the CDC Form 841.

##### **Processing Adverse and Non-Adverse Transfer Cases from California Youth Authority (CYA)**

A newly received felon inmate who arrives directly from CYA placement to a CDC RC, either because the inmate has reached the maximum age allowed to remain housed in CYA, or the inmate was moved to CDC as a "program failure" and/or received a felony commitment while housed in CYA, shall be processed with both a CDC Form 839 and a CDC Form 840. The date of arrival in CYA shall be recorded as the Date Received CDC. The CDC Form 839 shall then be prepared as it would have been prepared at the time that the inmate arrived in CYA. A CDC Form 840 shall then be

prepared which records the inmate's positive and negative behavior while incarcerated in CYA. An ISRS shall also be prepared.

#### **Processing CYA Parolees Sentenced to State Prison**

An inmate who receives a sentence to state prison while on CYA Parole, shall be handled as a newly received felon inmate. The Date Received CDC shall be recorded as the actual date received in the CDC RC. A CDC Form 839 shall be prepared. Documented CYA behavior shall be recorded as Prior Incarceration Behavior.

#### **Processing Civil Addict Commitments Excluded from the California Rehabilitation Center (CRC)**

An inmate who has been excluded from the Civil Addict Program shall be processed as a newly received felon inmate. The Date Received CDC shall be recorded as the actual date received in the CDC RC. A CDC Form 839 shall be prepared. Evaluate any serious in-custody disciplinary behavior that occurred during the inmate's Civil Addict commitment for documentation in the Prior Incarceration Behavior section of the CDC Form 839.

#### **Processing Interstate, Federal and International Placements received from other jurisdictions**

SACCO (Sacramento Central Office) Cases

- A SACCO case is one of the following:
  - An inmate who was sentenced to serve a prison term in California but is serving a concurrent or consecutive term in a facility in another jurisdiction; or
  - An inmate who served time in a county jail, was sentenced to serve a prison term in California, and was released before being transferred to an RC to undergo processing because the time served in county jail was equal to or exceeded the prison sentence at the time of sentencing.
- Processing SACCO cases returned to CDC from another agency
  - SACCO cases with a CDC Form 839

A SACCO case, who was processed through a CDC RC and has had a CDC Form 839 prepared prior to transfer to another federal or state agency, and who is returned from the other agency to finish the term imposed by California, shall have a CDC Form 840 prepared to update the inmate's Placement Score. The CDC Form 840 shall reflect the adjustment to incarceration while housed in the other jurisdiction. An ISRS shall also be prepared.

- SACCO cases without a CDC Form 839

A SACCO case, who was not processed through an RC, but who subsequently returned to California to finish his or her term, shall have both a CDC Form 839 and a CDC Form 840 prepared. The Date Received CDC on the CDC Form 839 shall be the date that is reflected on the CDC Form 112 or the Legal Status Summary. A CDC Form 840 shall also be prepared to update the inmate's Placement Score to reflect the inmate's adjustment to incarceration while housed in the other jurisdiction. An ISRS shall also be prepared.

- Processing SACCO cases returned from parole

If a SACCO case, who served time in a county jail or another jurisdiction, was released to parole and then returned to prison as a Parole Violator or a Parole Violator with a New Term, a CDC Form 839 and a CDC Form 841 shall both be prepared. The Date Received CDC recorded on the CDC Form 839 shall be the date indicated on the CDC Form 112 or the Legal Status Summary. The Date Received This Incarceration recorded on the CDC Form 841 shall be the date of arrival at the RC. The CDC Form 841 shall be

prepared to update the inmate's Placement Score. This score sheet shall include the inmate's adjustment to incarceration while housed in the other jurisdiction as well as record any changes in term points. The Date Paroled is the date that the inmate paroled from the CDC term. An ISRS shall also be prepared.

#### **Western Interstate Corrections Compact (WICC) and Interstate Corrections Compact (ICC) Cases**

A WICC/ICC case may be either a California inmate serving a term as a boarder in another state or federal jurisdiction or an inmate who is being boarded in California but serving a term imposed by another state or federal jurisdiction.

- WICC/ICC cases arriving at an RC in California from another jurisdiction

WICC/ICC cases arriving at an RC in California from another jurisdiction shall have a CDC Form 839 prepared during RC processing. The date that the inmate arrived in the CDC RC shall be recorded as the Date Received CDC. Positive or negative behavior exhibited in the previous jurisdiction shall be recorded on the CDC Form 839 under "Prior Incarceration Behavior." An ISRS shall also be prepared.

- WICC/ICC cases returned to California

When a California felon inmate serving a term as a boarder in another state or federal jurisdiction, is returned to California, designated staff shall prepare a CDC Form 839. The date of the inmate's original "term starts" date as noted on the Legal Status Summary shall be recorded as the Date Received CDC. A CDC Form 840 shall be prepared to update the inmate's Placement Score based on the inmate's adjustment to incarceration in the other jurisdiction. An ISRS shall also be prepared.

If the inmate had been released to parole and has since returned to the RC, a CDC Form 841 shall be prepared instead of a CDC Form 840. The inmate's previous incarceration behavior and program shall be documented on an ISRS.

- Family Foundations Program (FFP) Program Failures and FFP Cases Returned from Parole

The Family Foundations Program is an alternative sentencing program for pregnant or parenting women sentenced to state prison with children under the age of six. Under the authority of Penal Code § 1174.4, the Court may impose a state prison sentence with the recommendation that the defendant participate in the program. A female inmate who is sentenced to state prison by the court and subsequently accepted for the Family Foundations Program is not received at a reception center. The inmate is transferred from the county jail directly to the program. Although the inmate is issued a CDC number, a score sheet is not prepared for these inmates. Participation in the program is voluntary and the expectation is that the female inmate will complete the 12-month program prior to release back to the community.

A program failure at the FFP will result in the inmate being transferred to a CDC reception center to serve the remainder of her original sentence.

- Processing FFP Inmates Received at a Reception Center as program failures.
  - The inmate shall undergo reception center processing in the CDC.
  - A CDC Form 839 Classification Score Sheet shall be prepared.
  - The date that the inmate was received at the FFP shall be entered as the Date Received CDC on the CDC Form 839.

- A CDC Form 840 shall also be prepared to reflect the inmate's adjustment to the FFP when favorable behavior points or unfavorable behavior points need to be recorded.
- Processing FFP Inmates Received at the Reception Center as Parole Violators.
  - An inmate, who was released to parole from the FFP but returned to prison as a parole violator, shall have both a CDC Form 839 and a CDC Form 841 prepared.
  - The date that the inmate was initially received at the FFP shall be entered as the Date Received CDC on the CDC Form 839.
  - The date that the inmate was returned to the reception center shall be entered as the Date Received This Incarceration on the CDC Form 841.
  - Favorable and/or Unfavorable Behavior points for the period in FFP until parole shall be recorded on the CDC Form 841.

#### **61010.8.2 When to use the CDC Form 840**

The CDC Form 840 shall be completed as part of the regular reclassification process. It is intended to provide a cumulative record of the inmate's institutional adjustment and changes in case factors. A CDC Form 840 shall also be completed on each of the following:

- An escapee.
- A Community Correctional Reentry Center (CCRC) failure.

Refer to DOM § 61020.19 for instructions to complete the CDC Form 840.

#### **61010.8.3 When to use the CDC Form 841**

The CDC Form 841 is prepared when an inmate's parole status has been revoked, the inmate has been returned from parole to a reception center, and the parole period has been suspended. A CDC Form 841 shall also be completed for an inmate whose parole is lawfully revoked because he/she refused to sign conditions of parole. If the inmate is not physically paroled to the community, the inmate's status shows that he/she has been paroled, revoked and returned the same day.

A CDC Form 841 shall not be completed for any of the following cases:

- An inmate returned to CDC but then Continued On Parole (COP) by the BPT.
- A parolee who was revoked by the BPT, but not returned to CDC.
- An inmate who has been returned to CDC from parole but is still considered a "parolee." Examples of these situations are a SATCU case returned for drug treatment/"dry out" or an inmate returned for "psych treatment" only. In these types of situations, the inmate's parole period continues uninterrupted.

Refer to DOM § 61020.20 for instructions to complete the CDC Form 841.

#### **61010.9 Procedures**

##### **The Counselor**

The counselor shall review all relevant documents available during the RC process to complete the score sheet. Since the Placement Score usually determines the institution to which the inmate will be assigned, it is extremely important that the

information considered be as complete as possible. The Probation Officer's Report (POR) is the document of choice when information conflicts; the POR is reviewed by legal counsel and the court and contents may be challenged in court.

##### **Inmate Interview**

In the process of completing the CDC Form 839, 840, or 841, the counselor shall interview the inmate. In the interview the inmate shall be informed of the nature and purpose of the CDC Form 839, 840, or 841 and allowed to verbally contest specific score items and other case factors on the form. Documentation for score items that is absent or conflicting shall be discussed during the interview. The inmate shall be responsible for providing documentation to support his or her challenge of information on the CDC Form 839.

##### **Corrections**

Counselors are responsible for initiating a corrected CDC Form 839, 840, or 841 when the inmate or other party presents verifiable documentation, which supports the change. When the change to the score results in a different security level, the inmate shall be referred to the appropriate classification committee and subsequently to a CSR. (Refer to DOM § 61020.20.9 for instructions in the correction process)

##### **Reflects the Inmates Status at Time of Reception**

The CDC Form 839 score reflects the inmate's status at the time of reception, and apart from correcting errors of fact, remains the same during incarceration. During incarceration the inmate will have opportunity to earn favorable behavior points (documented on CDC Form 840 and CDC Form 841) to lower the total score.

After the counselor has completed the CDC Form 839, 840, or 841 and other case summary material and printed his/her name in the appropriate boxes on the form, the CDC Form 839, 840, or 841 shall be reviewed by the supervising counselor for accuracy and completeness.

##### **61010.9.1 Requesting an Archive File**

To ensure accurate classification and appropriate placement of inmates, available information regarding an inmate's prior incarceration is to be reviewed and considered as part of a thorough, objective evaluation of the inmate's security and custody needs. The counselor shall order and review an archive file upon discovery that the inmate has a prior CDC term, Civil Addict commitment, or CYA commitment, which has not been previously reviewed and incorporated into the inmate's current C-file. If the inmate was incarcerated in a federal institution or out-of-state, an attempt shall be made to get a synopsis of the inmate's prior incarceration behavior. (See also DOM § 61020.12)

##### **61010.10 Distribution of Copies/C-File Placement**

The CDC Form 839 shall be temporarily attached to other documents prepared by the RC staff and placed in the classification portion of the C-file when presented to a CSR as described in DOM § 61030. Following CSR action the original shall be permanently placed in the classification section of the C-file, a copy of the CDC Form 839 shall be provided to the inmate. The computer copy shall be reviewed for legibility and computation. Computer copies shall be compiled and mailed weekly to:

Department of Corrections  
Information Quality Support Section  
P.O. Box 942883  
Sacramento, CA 94283-0001

### 61010.11 Instructions for Completing the CDC Form 839

The CDC Form 839 shall be written on a hard surface with ballpoint black ink pen only. Do not use pencil, or felt, fiber, or other soft tip pens. This is required so that the printing will come through clearly on the self-carbonized copies. The Information Quality Support Section cannot accept items, which have been erased or marked over to correct because the copies will not be legible. Destroying the erroneous form and completing a new CDC Form 839 shall correct errors detected before copies are distributed.

Key data entry operators read only those letters and numbers which are inside the boxes on the form. Therefore, underlining and notations in the margins are permitted. Do not write more than one letter or number in each box.

#### Right Hand Justified

Numbers are to be right-hand justified; that is, end in the box furthest to the right with any empty boxes on the left. The most common problem is zeros that look like sixes, and vice versa, so take special care making these two numbers.

Except as noted in these instructions, any unused letter or number item is simply to be left blank.

On the CDC Form 839, box numbers appear to the right but refer to the first box on the left of each field.

#### 61010.11.1 Identifying Information

##### CDC Number (Boxes 1 Through 6)

At the bottom of the CDC Form 839, first print the CDC number for the inmate in boxes 1-6 from information obtained from the Legal Status Summary.

Print the letter prefix (such as C, D, or W) in box 1. Print the numbers in boxes 2 through 6, always ending in box 6. Do not enter a letter in the number boxes. Example:

D-27854

D	2	7	8	5	4
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##### Inmate's Last Name (Boxes 7-11)

Print the first eight letters of the inmate's last name using, CAPITAL BLOCK letters. Do not use lowercase or written script letters. Letterboxes are left-hand justified. Begin printing the name in the box furthest to the left and end with any empty boxes on the right. If the name consists of more than eight letters, enter only the first eight letters of the inmate's last name. Although eight boxes are provided on the score sheet, the database captures only the information in boxes 7-11 or the first five letters entered. For names with less than eight letters, leave empty the remaining boxes to the right. If the last name is two words, run the words together. Do not leave an empty box in between letters. Example:

Mac Knight

M	A	C	K	N	I	G	H
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##### Date Received CDC (Boxes 12-17)

For newly received felon inmates the Date Received CDC is the date that the inmate physically arrived at the RC. This date is noted on the CDC Form 112 and the Legal Status Summary. Enter this date in the boxes. A zero need not be entered in front of a single digit month or day, but must be entered as part of the two digits for the year when applicable.

Some exceptions to this process are outlined in DOM § 61010.8.1.

##### County of Last Legal Residence (CLLR) (Boxes 18-20)

This information is obtained from the POR, sentencing transcripts, or arrest report. For new commitments, the CLLR is the county of residence prior to incarceration. If the POR identifies that the inmate last resided out-of-state or was

a transient prior to his or her commitment, the CLLR shall be the county of commitment. If the inmate transfers to CDC to serve a term from another state or federal jurisdiction, use the code "WIC" as the CLLR.

Print the two or three letter OBIS code for the county name in boxes 18-20.

ALA	Alameda	ORA	Orange
ALP	Alpine	PLA	Placer
AMA	Amador	PLU	Plumas
BUT	Butte	RIV	Riverside
CAL	Calaveras	SAC	Sacramento
CC	Contra Costa	SB	Santa Barbara
COL	Colusa	SBD	San Bernardino
DN	Del Norte	SBT	San Benito
ED	El Dorado	SCL	Santa Clara
FRE	Fresno	SCR	Santa Cruz
GLE	Glenn	SD	San Diego
HUM	Humboldt	SF	San Francisco
IMP	Imperial	SHA	Shasta
INY	Inyo	SIE	Sierra
KER	Kern	SIS	Siskiyou
KIN	Kings	SJ	San Joaquin
LA	Los Angeles	SLO	San Luis Obispo
LAK	Lake	SM	San Mateo
LAS	Lassen	SOL	Solano
MAD	Madera	SON	Sonoma
MAR	Marin	STA	Stanislaus
MEN	Mendocino	SUT	Sutter
MER	Merced	TEH	Tehama
MNO	Mono	TRI	Trinity
MOD	Modoc	TUL	Tulare
MON	Monterey	TUO	Tuolumne
MPA	Mariposa	VEN	Ventura
NAP	Napa	YOL	Yolo
NEV	Nevada	YUB	Yuba

##### Form Identification (Boxes 21-29)

At the top of the CDC Form 839, three blank boxes are labeled "New", "Correction", and "Delete." Place an "X" in the appropriate box.

- Print an X in the "New" box (box 21) if the inmate is a new felony commitment and has no previous CDC Form 839 for this commitment.
- Print an X in the "Correction" box (box 22) if the form is being completed as a correction to a previously submitted CDC Form 839. Enter the date of the correction in the boxes provided.
- Print an X in the "Delete" box (box 29) when a CDC Form 839 was completed for an inmate in error and the document is to be deleted. For example, a PV-RTC was misidentified upon reception as a new commitment and a CDC Form 839 was completed instead of a CDC Form 841.

For more information on the preparation of "correction" and "deletion" documents refer to DOM §§ 61020.20.9 and 61020.20.10.

### 61010.11.2 Background Factors

There are two lines at the beginning of this section that are identified as the First Arrest Date or Age and the Date of Birth.

- Enter the date of the inmate's first arrest or age at first arrest. This information may be on the CI&I, the POR, sentencing transcripts, or provided verbally by the inmate.
- Enter the birthdate found on the Legal Status Summary.

#### Age at First Arrest (Boxes 30-31)

Calculate the inmate's age at first arrest based on the date of the inmate's first arrest. If there is no record of arrests prior to the commitment offense, use the date that the inmate was arrested for the current commitment offense.

If there is a record of the "age" of first arrest, but no date is given, use the age given. If there is a record of the "year" of first arrest, but no date, use the age the inmate would have become during that year.

Age at First Arrest is the record of an arrest regardless of the outcome. A sustained petition or conviction is not required.

- Contact with law enforcement that is noted as "detention only" shall not be considered an arrest.

If during the interview, the inmate voluntarily indicates that he/she was first arrested at a younger age than is documented, use that information, and enter "per inmate" on the CDC Form 839. Document the inmate's statement within the ISRS.

When the Age at First Arrest is determined, drop the months and use the full year, and apply that information to the Age at First Arrest Matrix. Enter the corresponding point value in boxes 30-31. If the value is zero, enter zero. Enter all single digit numbers in box 31.

#### Age at Reception (Box 32)

Using the date of birth and the Date Received CDC, calculate the Age at Reception. When the Age at Reception is determined, drop the months and use the full year. Apply that information to the Age at Reception Matrix. Enter the corresponding point value in box 32. This is always a single digit value. If the value is zero, enter zero.

#### Term in Years (Boxes 33-34)

Enter the number of years of the total term between the brackets provided on the form. The number of years is documented on the Legal Status Summary.

- A sentence of death or life without possibility of parole shall result in a maximum score of 50.
- For sentences of 25 years-to-life for murder (including conspiracy), the base term is 25 years.
- For sentences under PC § 667.7 with a term of life without parole for 20 years, the base term is 20 years.
- For all other life sentences, the base term is 15 years. This includes Third-Strike and non-murder life sentence of 25 to life.
- Any enhancements or determinant terms for other counts or offenses to be served consecutive to a life term shall be added to the base term before calculation of the term score.

Drop the months and use full years.

- Multiply the number of years by two (2) and enter this value in boxes 33 and 34. Any single digit value is entered in box 34.

- The maximum number of points for term in years is 50.
- If the sentence is less than one year, enter zero.

If an inmate's term changes during this incarceration, do not prepare a correction to the CDC Form 839. Prepare a CDC Form 840 and complete the section F.4 "Change in Term Points." Term points shall be based on the inmate's total term as identified on the most current Legal Status Summary.

#### Street Gang/Disruptive Group (Boxes 35-38)

For the purpose of Placement Score evaluation, if available information indicates that the inmate is or has been involved with gang activity, enter six (6) points in box 35. An inmate's housing preference alone is not indicative of gang activity. Do not assess points unless the Method of Verification Code is one of those listed. "Validation" by an IGI is not required in order to identify and document street gang/disruptive group activity for the purposes of assessing a score on the CDC Form 839.

Points are applied for involvement in street gang/disruptive group activity. Points are not assessed for prison gang membership. Unless there is a record of street gang or disruptive group activity for this inmate, you will not apply points for street gang/disruptive group activity. For example, if the inmate is a member of Nazi Low Riders and demonstrated involvement in the Nazi Low Riders disruptive group, or any street gang faction prior to arrival to CDC, he is assessed six (6) points for involvement in street gang/disruptive group activity. Since Nazi Low Riders is also a prison gang, the inmate is also subject to further investigation and potential validation as a member of the Nazi Low Riders prison gang.

**Type of Street Gang/Disruptive Group Codes.** Apply the code that most closely identifies the inmate's street gang/disruptive group. Enter the appropriate alpha codes in boxes 36-37.

- CR Crip
- BL Blood
- NH Northern Hispanic street gang/disruptive group
- SH Southern Hispanic street gang/disruptive group
- AS Asian street gang/disruptive group
- BD Bulldogs
- WH White Supremacists, Neo Nazi, Skinheads, etc.
- BK Black street gang/disruptive group (not Crip or Blood)
- MC Outlaw Motorcycle Clubs
- OT Other street gang/disruptive group not listed

**Method of Verification Code.** Apply the letter code that is most indicative of the gang activity in box 38. Use the letter code provided. Indications of street gang or disruptive group activity are:

- A. Self Admission.
- B. Tattoos and symbols. Body markings, hand signs, distinctive clothing, graffiti, etc., which have been identified by gang coordinators/investigators as being used by and distinctive to specific gangs.
- C. Written material. Any material or documents evidencing gang activity such as the membership or enemy lists, constitutions, organizational structures, codes, training material, etc., of specific gangs.
- D. Photographs. Individual or group photographs with gang connotations such as those, which include insignia, symbols, or validated gang affiliates.

- E. Staff information. Documentation of staff's visual or audible observations which reasonably indicate gang activity.
- F. Other agencies. Information evidencing gang activity provided by other agencies. Verbal information from another agency shall be documented by the staff person who receives such information, citing the source and validity of the information.
- G. Association. Information related to the inmate's association with gang affiliates.
- H. Offenses. Where the circumstances of an offense evidence gang activity such as where the offense is between rival gangs, the victim is a verified gang affiliate, or the inmate's crime partner is a verified gang affiliate.
- I. Legal documents. POR or court transcripts evidencing gang activity.
- J. Communications. Documentation of telephone conversations, mail, notes, or other communication, including coded messages evidencing gang activity.

Do not assess points for an inmate's housing preference. Housing preference alone is not indicative of street gang/disruptive group activity.

#### **Mental Illness (Boxes 39-43)**

If a CDC Form 128C, Mental Health Placement Chrono, has been prepared in the RC that indicates the inmate is a participant in the Mental Health Services Delivery System (MHSDS), except for those cases that have been designated Medical Necessity, enter four (4) points in box 43.

If the determination is made after the CDC Form 839 has been prepared and endorsed but prior to leaving the RC, the CDC Form 839 shall be corrected and the case referred to the CSR on a CDC Form 840 for appropriate housing.

- Determine the level of care (LOC) that has been designated by the RC health care staff on the inmate's CDC Form 128C. Place an "X" in the appropriate box only if 4 points have been entered in box 43, if not, leave the LOC box blank.
- LOC:
  - Correctional Clinical Case Management System (CCCMS) (box 39).
  - Enhanced Outpatient Program (EOP) (box 40).
  - Mental Health Crisis Bed (MHCB) (box 41).
  - In-patient hospitalization at a Department of Mental Health (DMH) facility (box 42).

Do not prepare a correction if the inmate continues in the MHSDS but there is a change to the inmate's LOC prior to transfer from the RC.

#### **Prior Jail or County Juvenile Sentence of 31+ Days (Box 44)**

These items require a review of the POR and the CI&I, CLETS, and FBI Multi State Record in order to identify prior sentences of 31 days or more. A "sentence" is imposed by the court. Incarceration time or time in custody is not considered a "sentence." Apply no more than one (1) point for each category.

- Count any sentence of 31 days or more. Do not count suspended sentences.
- Count any sentence under a delinquency petition which involves a crime rather than "status offender" placements. For example, "beyond parental control" should not be counted. Burglary, however, would be counted.

- Count CDC placements for diagnostic evaluation (PC § 1203.03 "Z" cases) followed by a grant of probation. In these cases, the inmate is sentenced to county jail, given credit for time served, and released to probation rather than being returned directly back to CDC to serve a prison term.

#### **Prior Incarceration(s) (Boxes 45 and 46)**

- CYA, Juvenile State or Federal Level (Box 45)
  - Count placement in state or federal facilities for juvenile offenders.
- CDC, CRC, Adult State, or Federal Level (Box 46)
  - Count any state or federal level incarceration for adult offenders.
  - Count previous commitments to the Civil Addict program.

#### **Total Background Factors Score**

Total the number of points assessed for this section and place the sum on the line provided.

#### **61010.11.3 Correction to CDC Form 839 Score Sheet (Prior to Rev. 07/02) (Boxes 47-49)**

The Correction to CDC Form 839 Score Sheet area is provided for the purpose of recording any corrections to a CDC Form 839 with a revision date prior to 07/02. Information shall never be recorded in this area when preparing a "New" CDC Form 839 score sheet.

This area is not to be used for changes or adjustments to term points. The Change in Term Points area on the CDC Form 840 continues to be used for all adjustments or corrections to term points.

See DOM §§ 61020.20.9 and 61020.20.10 for instructions in the correction and deletion process.

#### **61010.11.4 Prior Incarceration Behavior (Boxes 50 through 64)**

Prior Incarceration Behavior that meets the definitions below is to be recorded here. For example, behavior while in the county jail awaiting sentencing, or during transportation shall be counted. Behavior while incarcerated in other correctional agencies, such as county jail, juvenile hall, federal prison, or Civil Addict commitment incarceration, which meets the criteria, shall also be counted. The behavior must have occurred prior to the inmate's date received CDC in order to be counted in the Prior Incarceration Behavior section of the CDC Form 839.

#### **Last 12 Months of Incarceration (Boxes 50 through 52)**

Prior Incarceration Behavior "in the last twelve months of incarceration(s)" in any correctional agency shall include the last 12 cumulative months in custody, going as far back as necessary to attain a total of 12 months, prior to the date the inmate was received in the CDC.

- Twelve months of incarceration is also defined as 360 days.
- For ease of calculation and consistency of rule application, months are considered 30-day months.

Review the Abstract of Judgment (AOJ), CI&I, and POR to identify those periods of prior incarceration. The POR is the document of choice when information conflicts; the POR is reviewed by legal counsel and the court and contents may be challenged in court. (See DOM § 61010.9)

The following is a sample case for determining the inmate's "last 12 months of incarceration":

Inmate "X" was received in CDC on 5-7-93. She paroled on 10-1-94 and discharged on 11-18-95. She was received again

in CDC as a new felon commitment on 2-10-03. She spent 120 days in county jail prior to her arrival in the RC.

- The "last 12 months of incarceration" begins on 2-9-03, which is the date prior to the date the inmate was received in CDC. She spent 120 days, or 4 months, in the county jail prior to her arrival in CDC. There are 8 months left to account for. Her next period of incarceration ended on 10-1-94, the date she paroled from her previous incarceration. Therefore, beginning on 10-1-94, and counting backwards in time for 8 months, the end of the 12 month period is 2-1-94.
- Using this example, the "last 12 months of incarceration" is all incarcerated time during the period of 2-1-94 through 2-9-03.
- In the Criminal History section of the ISRS, note whether or not the inmate has been incarcerated for a period of 12 months or more.

The application of favorable points or unfavorable points is mutually exclusive. Do not enter values for both Favorable Behavior and Unfavorable Behavior in the last 12 months of incarceration.

#### **Favorable Prior Incarceration Behavior (Box 50)**

Award favorable points in Box 50 according to the following rules of application only if the inmate has had a total of twelve months or more of continuous or cumulative prior incarceration and there is no evidence or documentation of serious disciplinary behavior for which the inmate was found guilty.

If an inmate has been incarcerated for less than 12 months but there is no evidence or documentation of serious disciplinary behavior for which the inmate was found guilty, leave box 50 blank.

The information to be used to evaluate the inmate's behavior may be obtained from prison institution records, CYA ward files, CDC archives, serious disciplinaries (CDC Form 115) and similar documents from other correctional agencies. The POR and CI&I shall also be reviewed for any indication of disciplinary problems or positive behavior while incarcerated.

#### **Unfavorable Prior Incarceration Behavior (Boxes 51-52)**

When recording Unfavorable Prior Behavior, the documentation shall establish that the inmate was determined to be guilty of conduct described as a serious disciplinary in the CCR § 3315 within the last 12 months of incarceration. Such behavior may be documented by means other than a CDC Form 115. For example, an assault on another inmate in jail or distribution of any controlled substance in jail, may be documented by a report from the sheriff. If the disciplinary problem occurred in the CDC, it will have been documented on a CDC Form 115.

- Enter the date of each occurrence that is counted as a serious disciplinary in last 12 months of incarceration in the space provided.
- Count the number of serious disciplinaries, or their equivalent, for which the inmate was found or pleaded guilty occurring within the last 12 months of incarceration, multiply by four (4) points and enter the total in boxes 51-52.
- The maximum number of points that can be assessed for Unfavorable Behavior during the last 12 months of incarceration is 99.

Negative behaviors occurring after the Date Received CDC and during RC processing shall be documented on a CDC

Form 840. If a new felon inmate is found guilty of a serious rule violation during reception processing, the behavior shall be documented on a CDC Form 840, not on the CDC Form 839. The CSR shall then endorse the inmate's initial placement on the CDC Form 840. In these cases, the CDC Form 839 shall require no CSR action.

#### **Serious Disciplinary History (Boxes 53-64):**

A single disciplinary problem that occurred in the last 12 months of incarceration and recorded in D.1.b., may also result in the assessment of points in more than one category under D.2. Serious Disciplinary History. For example, if within the inmate's last 12 months of incarceration, the inmate incited a disturbance during which he assaulted another inmate, he shall be assessed points as follows:

- Four (4) points for Unfavorable Prior Incarceration Behavior (Boxes 51-52)
- Four (4) points for a Battery on an Inmate (Boxes 55-56)
- Four (4) points for Inciting a Disturbance (Boxes 61-62)

In addition to considering the content of serious disciplinary behavior that occurred within the last 12 months of incarceration, review all serious disciplinary behavior for which the inmate was found guilty and record that behavior which occurred during any prior incarceration if they meet the definitions below. In other words, the serious disciplinary behavior noted below shall be counted even if it occurred outside of the last 12 months of incarceration. Enter the date of every occurrence that is being counted in the space provided under each item. The maximum number of points that can be assessed for each category is 99.

#### **Battery or Attempted Battery on a Non-prisoner (Boxes 53-54)**

- Include any well-documented battery or attempted battery on a non-prisoner, which occurred during any prior incarceration. Do not restrict to the last twelve months in custody.
- Count the number, multiply by eight and enter in boxes 53-54.

#### **Battery or Attempted Battery on an Inmate (Boxes 55-56)**

- Include any well-documented battery or attempted battery on an inmate, which occurred during any prior incarceration. Do not restrict to the last twelve months in custody.
- Do not include mutual combat where both inmates were co-responsible.
- Include situations where one or more inmates is clearly the victim. Usually results in more injury that may involve a group attack or some type of weapon.
- Count the number, multiply by four (4) and enter in boxes 55-56.

#### **Distribution of Drugs (Boxes 57-58)**

- Include any distribution/trafficking of any controlled substance that occurred during any prior incarceration. Do not restrict to the last twelve months in custody.
- This refers to inmates who are involved in an operation to smuggle drugs into a jail or an institution or facility for distribution and sales.
- Do not count a disciplinary determination in which the inmate was found or pled guilty to possessing a small quantity of drugs.

- Count the number, multiply by four (4) and enter in boxes 57-58.

**Possession of a Deadly Weapon (Double-Weight if Within the Last 5 Years) (Boxes 59-60)**

- Include only well-documented incidences of manufacturing or possessing a deadly weapon, where apparent use was intended, which occurred during any prior incarceration. Do not restrict to the last twelve months in custody.
- Except as noted below, do not include possession of commonly available and unmodified objects unless they are used as weapons and this fact is documented in a disciplinary hearing process. For example, hobby craft tools, common shop tools and baseball bats are not considered deadly weapons unless their use, or intent for use, as such is clear.
- Include possession of a razor blade (whether it has been modified or not) in a segregated program housing unit (e.g. Ad Seg Unit, Security Housing Unit [SHU], Psychiatric Services Unit).
- If the incident was within the past five years (60 months) of the reception date, it shall be weighted double by giving eight points. Indicate the date of the incident under the item.
- Count the number, multiply by four (4) or eight (8) and enter in boxes 59-60.

**Inciting a Disturbance (Boxes 61-62)**

- Include any inciting a disturbance that occurred during any prior incarceration. Do not restrict to the last twelve months in custody.
- Typically, this involves a leadership role in an institution riot, racial disturbance, or work strike.
- Include any willful and deliberate behavior which might lead to violence or disorder, and any willful attempt to incite others, either verbally or in writing, or by other deliberate action, to use force or violence upon another person, of the type described in CCR § 3005.
- Count the number, multiply by four (4) and enter in boxes 61-62.

**Battery Causing Serious Injury (Includes Conspiracy) (Boxes 63-64)**

- Include any battery that caused serious injury that occurred during any prior incarceration. Do not restrict to the last twelve months in custody. Serious injury is defined in CCR § 3000.
- Include an inmate who conspired in, or ordered such a battery.
- Count the number, multiply by sixteen (16) and enter in boxes 63-64.

**Total Prior Incarceration Behavior Score**

If points were assessed for Unfavorable Prior Incarceration Behavior and/or Serious Disciplinary History, combine the total and subtract the Total Favorable Points if any. Enter the result in the space provided for Total Prior Incarceration Behavior Score. Indicate whether this total is a plus or minus value. For example, if there are no points assessed for serious disciplinary behavior but there are four favorable points for no serious disciplinary behavior during the last twelve months of incarceration, the total is minus 4 (-4).

If points were neither added nor subtracted, enter a zero on the line provided for Total Prior Incarceration Behavior Score.

It is possible for an inmate to be awarded four favorable points in box 50 for no serious disciplinary in the last 12 months of incarceration but also be assessed points for serious disciplinary history in boxes 53 through 64 that occurred outside of the last 12 months of incarceration.

**61010.11.5 Placement**

**Preliminary Score (Boxes 65-67)**

This is the Total Background Factors Score and Total Prior Incarceration Behavior Score combined.

Right-hand justify the total score. Enter the results of this computation in boxes 65-67. Any empty boxes are to appear on the left.

If the computation results in a negative value or zero value, enter zero for the score. The maximum Preliminary Score is 999.

**Mandatory Minimum Score Factor**

A Mandatory Minimum Score Factor is a case factor that requires the application of a Mandatory Minimum Score.

**Mandatory Minimum Score Factor Code (Box 68)**

A Mandatory Minimum Score Factor Code is an alpha code associated with a Mandatory Minimum Score Factor.

- If an inmate has a case factor that requires the application of a Mandatory Minimum Score Factor Code, enter the applicable code in box 68. If more than one Mandatory Minimum Score Factor Code applies, enter the code that appears first on the list.
- Document the RC justification for applying a Mandatory Minimum Score Factor Code in the CDC Form 816 or ISRS, as applicable. When the Mandatory Minimum Score Factor is applied other than in the RC, justify application in a CDC Form 128-G.
- If eligibility for a Mandatory Minimum Score Factor Code requires further consideration, refer to DOM § 61020.19.7.
- Absent overriding security or safety considerations, inmates pending case-by-case evaluation to determine eligibility for a Mandatory Minimum Score Factor Code shall not be transferred, except from the RC, until the application of a Mandatory Minimum Score Factor Code is resolved.
- Determine if one or more of the case factors listed below apply to the inmate. If no factors apply, proceed to the instructions for Placement Score.
- Prepare a new CDC Form 840 score sheet to record a change in or removal of a Mandatory Minimum Score Factor Code.

Mandatory Minimum Score Factor Code and Scores:

<u>CODE</u>	<u>FACTOR</u>	<u>SCORE</u>
[A]	Condemned	52
[B]	Life Without Possibility of Parole	52
[C]	CCR 3375.2(a)(7) Life Inmate	28
[D]	History of Escape	19
[E]	Warrants "R" Suffix	19
[F]	Violence Exclusion	19
[G]	Public Interest Case	19
[H]	Other Life Sentence	19

Specific Criteria for Applying Mandatory Minimum Score Factor Codes:



- **A. Condemned.** Apply Mandatory Minimum Score Factor Code A to inmates sentenced to Death.
- **B. Life Without Possibility of Parole.** Apply Mandatory Minimum Score Factor Code B to inmates sentenced to Life Without the Possibility of Parole (LWOP).
- **C. CCR 3375.2(a)(7) Life Inmate.** Apply Mandatory Minimum Score Factor Code C to life-term inmates who are excluded from placement in Levels I or II based on any of the following factors per CCR § 3375.2(a)(7):
  - The commitment offense involved multiple murders, unusual violence or execution-type murders or received high notoriety. Each of these factors is defined in CCR § 3000.
  - The inmate has a history of multiple walkaways, an escape from a secure perimeter or an escape with force or threat of force.
  - A classification committee shall determine the application of Mandatory Minimum Score Factor Code C. The Unit Classification Committee (UCC) shall refer more complex cases to the Institutional Classification Committee (ICC) as needed.
  - Justification in the CDC Form 128-G shall address the specific element(s) of the inmate's commitment offense that substantiates the application of Mandatory Minimum Score Factor Code C, which precludes Level II placement, as opposed to Mandatory Minimum Score Factor Code F or Mandatory Minimum Score Factor Code H.
- **D. History of Escape.** Apply Mandatory Minimum Score Factor Code D for those case factors listed below. This code is not to be used to assess risk factors for escape involving any other offenses, i.e. the sale or possession of large quantities of narcotics.
  - Apply to an inmate with any history of escape from within a secure perimeter or attempted escape from within a secure perimeter, whether or not force was used. This inmate is permanently excluded from minimum custody placement.
  - Apply to an inmate who has a conviction for, or whose commitment offense includes, Escape with Force or Attempted Escape with Force from any correctional setting or armed escort. This inmate is permanently excluded from minimum custody placement.
  - Apply to an inmate who verbalizes that he or she is going to escape, and/or states he or she does not wish Minimum Support Facility (MSF) placement because he or she will be tempted to escape/walkaway. The inmate is permanently excluded from minimum custody/MSF/camp placement.
  - When applying the ten-year exclusion criteria in reference to the following escapes or walkaways, use the date of conviction. If the escape did not result in a conviction, use the date of apprehension. In a case where there is no escape conviction and the date of apprehension is unknown, use the date of the escape or attempted escape, or walkaway.
- Apply to an inmate who has a history of (one or more) walkaways without force from a nonsecure perimeter facility setting (such as camp, MSF, county road camp, etc.). The inmate is ineligible for minimum custody placement, camp, or MSF for ten years.
- Apply to an inmate with a pattern of (two or more) walkaways from CCRC within the last 10 years. These inmates are excluded from minimum custody for 10 years.
- Apply to an inmate who has a walkaway from CCRC that resulted in a court conviction for Escape within the last ten years. The inmate is ineligible for minimum custody for 10 years.
- **E. Warrants "R" Suffix.** Apply Mandatory Minimum Score Factor Code E when the "R" suffix has been affixed to the inmate's custody. Criteria for the "R" suffix is provided in CCR § 3377.1(b)(1) and DOM § 62010.4.3.1. Do not apply Mandatory Minimum Score Factor Code E for a case pending an evaluation.
- **F. Violence Exclusion.** Apply Mandatory Minimum Score Factor Code F when an inmate has a current or prior conviction for a violent felony or a sustained juvenile adjudication including but not limited to those listed under PC § 667.5(c) that does not require "case-by-case" consideration.
  - A sustained juvenile adjudication is a guilty determination or ruling rendered in a juvenile judicial proceeding.
  - In addition, the following administrative determinations regarding an allegation of a violent act, including but not limited to those offenses described in Penal Code § 667.5(c), shall have the same force and effect as a current or prior conviction for a violent felony or a sustained juvenile adjudication:
    - Board of Prison Terms (BPT) or Parole Hearings Division good cause finding, or;
    - California Youth Authority/Youthful Offender Parole Board sustained allegation, or;
    - a probation violation finding in a court of law.
  - Do not apply the Mandatory Minimum Score Factor Code F pending case-by-case evaluation.
- **G. Public Interest Case.** Apply Mandatory Minimum Score Factor Code G when a CSR determines that the inmate is a Public Interest Case as defined in CCR § 3000, CCR § 3375.2(b)(20) and DOM § 62010.4.3.3. Staff shall refer potential public interest cases to a CSR for determination and endorsement, if applicable, as a public interest case.
- **H. Other Life Sentence.** Apply Mandatory Minimum Score Factor Code H for an inmate serving a current life sentence commitment whose case factors are not already addressed by another Mandatory Minimum Score Factor. This inmate is excluded from placement in a minimum custody setting until a release date is granted by the BPT. The granting of a release date by the BPT does not result in the removal of Mandatory Minimum Score Factor Code H.

### **Mandatory Minimum Score (Boxes 69-70)**

A Mandatory Minimum Score is a numerical value identifying the least restrictive security level for an inmate who has a case factor that requires he/she be housed no lower than a specific security level.

When the Mandatory Minimum Score Factor Code is applied, enter the corresponding point value in the field labeled Mandatory Minimum Score, boxes 69-70.

If more than one factor applies, enter the code in box 68 that appears first on the list and enter the corresponding numeric value in boxes 69-70.

### **Placement Score (71-73)**

If a Mandatory Minimum Score Factor Code has not been applied, enter the Preliminary Score as the Placement Score.

If a Mandatory Minimum Score has been applied, enter the Mandatory Minimum Score or the Preliminary Score whichever is greater.

The Placement Score is one of the factors used to determine the security level to which the inmate is assigned.

### **61010.11.6 Special Case Factors**

This provides the opportunity to alert classification staff of special concerns, which should be considered in placement or program assignment.

### **Holds, Detainers, and Warrants (Boxes 74-75)**

Review all relevant documents and the "Detainers" section of the C-file for holds. This item requires careful evaluation regarding the seriousness of the hold and the likelihood that the jurisdiction will exercise the hold at the end of the sentence. The importance of the hold for classification is the extent to which the prospect of an additional term to serve may motivate the inmate to attempt escape.

- Holds, Detainers and Warrants for felony charges or USINS are coded "P" for potential or "A" for actual.
- Code only those holds which are likely to result in an additional prison sentence or deportation. Exclude simple holds for probation or parole violation where the commitment offense is the basis for the violation.

### **Restricted Custody Suffix (Box 76)**

Enter an "R" if a restricted custody suffix needs to be applied by the receiving institution pursuant to DOM § 62010.

### **Current Institution and Facility (Boxes 77-83)**

Beginning with the first box, enter the letters that abbreviate the name of the RC. RC refers to the facility where the case is presented to a CSR or Correctional Counselor (CC) III for initial placement. Inmates may go through an RC but actually be processed at an institution. Also, out-of-state inmates may be delivered directly to an institution. In such cases, enter the abbreviation for the institution where the processing takes place. Refer to DOM § 61020.19.8 for abbreviations.

### **Eligible for Restitution Center (Box 84)**

The Restitution Center program allows inmates who meet program criteria to work in the community and repay their victims for monetary losses. Inmates are eligible for placement in the Restitution Center program pursuant to PC § 6228. Inmates are eligible for placement consideration if they meet the following criteria:

- Have agreed or been ordered by the court to make financial restitution to a crime victim.
- Have not served a prison term within the five years prior to the present conviction.

- Do not have a criminal history of a conviction for the sale of controlled substance.
- Do not have a criminal history of a conviction for a crime involving violence or sex.
- Received a sentence of 36 months or less.
- Present no unacceptable risk to the community.
- Are employable.

Inmates from any county are eligible for placement if they meet the criteria.

A court ordered restitution to the victim, whether payable to the court, directly to the victim, or in any other manner, qualifies an inmate to participate. A restitution fine constitutes financial restitution to a crime victim; therefore, a restitution fine meets the criteria for Restitution Center placement.

There are no medical staff assigned to the Restitution Center. However, an inmate who is otherwise eligible for placement in a restitution center who requires regular monitoring/intervention by medical personnel may be considered if he or she is medically cleared on a case-by-case basis.

In box 84, enter "Y" for "yes" if the inmate is eligible or enter "N" for "no" if the inmate is ineligible. This is a one-time entry for the duration of the inmate's CDC number unless the inmate's eligibility changes from "Y" to "N".

### **Level IV Design (Item F.5.)**

**180 Status.** If a male inmate has a Level IV Placement Score, the counselor shall make a determination regarding the exclusion of the inmate from a Level IV 270-design institution. If the inmate meets the guidelines for exclusion from a Level IV 270-design prison, the counselor shall place the capital letter "Y" on the line provided.

If the male inmate has a Level IV Placement Score, but does not meet the guidelines for exclusion from a Level IV 270-design institution, the counselor shall enter an "N" on the line provided.

**Reason Code.** If a "Y" has been entered on the "180 Status" line provided, the counselor shall then enter the "Reason" code on the line provided that describes the reason for exclusion from a Level IV 270-design institution based on the established guidelines noted below.

Reason Codes are consistent with the Group A and Group B reasons outlined below. For example, an inmate who is excluded from placement in a Level IV 270-design institution because he is a street gang member, has two or more prior offenses listed in PC § 667.5(c), and has been in CDC for less than three (3) years at the time of review, "B3" would be entered as the Reason Code.

### **GROUP A**

Any single factor is exclusionary and prevents placement in a Level IV 270-design prison:

- 1) SHU placement during the last three (3) years of incarceration.
  - SHU terms suspended upon initial review by ICC do not count.
- 2) Disciplinary CDC Form 115 for a Division A-1, A-2, or B offense in the last three years of incarceration.
  - Excluding Possession of Narcotics.
- 3) Validated Member or Associate of a Prison Gang.
  - If the inmate was housed in GP during the last three (3) years of incarceration, he may be housed in a 180-design or a 270-design facility.

- 4) Disciplinary CDC Form 115 for Riot (Rout) or for Inciting a Riot in the last three (3) years of incarceration.

#### **GROUP B**

These factors must be applied together. There must be some evidence of street gang membership or association and one or more of the additional elements numbered 1 through 6 below. Exclusion for these factors will be for whichever comes first, three years or until the Placement Score is adjusted to Level III or below.

- 1) Disciplinary CDC Form 115 for Assaultive Behavior within the last three years of incarceration.
  - Exclude mutual combat.
- 2) Commitment offense where street gang activity was directly involved.
- 3) Two or more prior offenses listed in PC § 667.5(c).
- 4) Committed under PC § 667.5(e)(2) (Three Strikes Law).
- 5) Committed for Life Without Parole.
- 6) Determinate sentence of 50 years or more.

#### **US Armed Forces (Box 85)**

Enter a "Y" if the inmate answers "Yes" to the following question: "Have you ever been a member of the US Armed Forces and were you honorably discharged?" If the inmate answers "No" enter "N." After a response has been documented on the CDC Form 839, CDC Form 840, or CDC Form 841, it is not necessary to address the issue again.

#### **Caseworker Name (Boxes 86-94)**

The counselor shall print his or her last name and first initial, in capital block letters, in the boxes, indicating that the CDC Form 839 is accurate and complete.

#### **61010.11.7 CSR Action**

This section is to be completed only by a CSR or a staff member specifically authorized to act in that capacity.

Inmates who are found guilty of a serious disciplinary while undergoing RC processing shall have that behavior recorded on a CDC Form 840 and not on a CDC Form 839. The endorsement shall then occur on the CDC Form 840. No endorsement is required on the CDC Form 839 in these cases.

#### **Last Name (Boxes 95-102)**

The CSR shall print the first eight letters of his or her last name in CAPITAL BLOCK letters in the boxes provided.

#### **Date of Action (Boxes 103-108)**

Enter the number of the month, day and last two digits of the year in which the action is taken.

#### **Level IV Design (Boxes 109-111)**

**180 Status.** If a male inmate has a Level IV Placement Score, the CSR shall make a determination regarding the exclusion of the inmate from a Level IV 270-design institution. If a male inmate meets the guidelines for exclusion from a Level IV 270-design prison, the CSR shall print the capital letter "Y" in box 109.

**Reason Code.** If a "Y" has been entered in box 109, the CSR shall print the reason code in boxes 110-111 that describes the reason for exclusion from a Level IV 270-design institution based on the established guidelines. Refer to DOM § 61010.11.6, Special Case Factors for Reason Codes.

- The counselor's evaluation regarding a male inmate's exclusion from a Level IV 270-design institution will be recorded in the Special Case Factors area of the score sheet.

#### **Minimum Custody (Boxes 112-115)**

**Eligibility.** The CSR shall print the letter "E", "L", or "P" in box 112, consistent with the findings recorded on the Minimum Custody Screening Form. Print the letter "E" in box 112 to document that the inmate is eligible for minimum custody. Print the letter "L" in box 112 to document that the inmate is temporarily ineligible for minimum custody. Print the letter "P" in box 112 to document that the inmate is permanently ineligible for minimum custody.

**Reason Code.** Print the code in boxes 113-115 to identify the reason the inmate is either temporarily or permanently ineligible for minimum custody, for example, VIO, ESC, HOL, etc. If the inmate is eligible for minimum custody, print an "E" in the Minimum Custody Eligibility box 112. Do not enter a reason code.

If an inmate is permanently excluded from Camp due to Arson but is otherwise eligible for minimum custody in an MSF, enter "P" in box 112 and enter ARS for Arson in boxes 113-115 to ensure that inmate is not placed in a Camp.

#### **CCRC Eligibility (Boxes 116-118)**

The CSR shall enter the appropriate code for reentry eligibility.

- Print the letters REN in boxes 116-118 if the inmate is eligible and wants to participate in CCRC.
- Print the letters REX in boxes 116-118 if the inmate is eligible but does not want to participate in CCRC.

If the inmate is ineligible for CCRC placement, leave boxes 116-118 blank.

#### **Developmental Disability Program (DDP) Code (Boxes 119-121)**

The Developmental Disability Program evaluation is recorded on a CDC Form 128-C2. The CSR shall print the most recent DDP code in the boxes 119-121. The DDP code is the designation assigned by clinical staff.

#### **Disability Placement Program (DPP) Code (Boxes 122-133)**

The CSR shall make every effort to endorse a case that is identified as DPP on the CDC Form 1845, Inmate/Parolee Disability Verification, (Section C), to an appropriate institution.

The first three boxes are to be used for the impacting DPP code that most affects the inmate's placement. The CSR shall print the appropriate DPP code in boxes 122-124. If there are additional codes that affect placement, enter those codes in boxes 125-133.

The CSR shall print the non-impacting DPP codes assigned to the inmate in boxes 125-133.

The C&PR or the RC-CCIII has the authority to code the DPP designation of inmates who have only non-impacting physical disabilities as identified in Section D of the CDC Form 1845. The C&PR or RC-CCIII shall print the non-impacting DPP code(s) in boxes 125-133.

#### **Administrative Determinants (Boxes 134-148)**

An inmate whose Placement Score falls within one of the following ranges shall be placed in an institution, which is designated at the security level indicated, unless a reason for administrative or irregular placement is specified:

Placement Score	Security Level
0-18	I
19-27	II
28-51	III
52+	IV

Appropriate inmate placement is determined by both Placement Score and consideration of unusual or special case factors. Some case factors affect placement because of administrative policy requirements, commonly referred to as "administrative determinants". Placements based on these case factors, in a facility that does not correspond to the inmate's Placement Score, are "administrative placements".

Space is provided to record up to five administrative determinants. Enter applicable administrative determinants. An administrative determinant identifies both temporary and permanent case factors and alerts staff to safety and security considerations which may limit the inmate's eligibility for placement.

If there are not enough boxes to identify all applicable administrative determinants, give priority to those most related to security and safety.

Record those determinants, which are supported by documentation using the administrative determinant codes provided. If an administrative determinant code has already been entered as a Minimum Custody Reason Code (boxes 113-115), it is not necessary to repeat that code here.

For example, if the inmate has an active felony hold, mental health concerns, medical concerns, and a possible restricted "R" custody, enter the applicable administrative determinants. Unless the medical condition is driving placement, the mental health diagnosis is the primary concern. Enter HOL for the Hold if the hold is active, is either a felony or a USINS hold, and supporting documentation for the hold is in the file. The "R" suffix is not entered pending evaluation. The CSR would therefore enter:

a)                      b)                      c)

P	S	Y	M	E	D	H	O	L
---	---	---	---	---	---	---	---	---

The following codes are the Administrative Determinant codes:

- **AGE.** Inmate's youthfulness, immaturity, or advanced age should be given strong consideration in placement or program decisions.
- **ARSon.** Current or prior conviction, or a sustained juvenile adjudication, as defined in CCR § 3375.2(b)(25) or good cause finding ruling rendered in a BPT or Parole Hearings Division proceeding, a sustained allegation in CYA or Youthful Offender Parole Board proceeding or a probation violation finding in a court of law for arson, which limits where the inmate may be placed.
- **BEHavior.** Inmate's behavior record indicates he or she is capable of successful placement at an institution security level lower than that indicated by the inmate's Placement Score. Not to be used if the inmate is housed at a security level higher than the inmate's Placement Score.
- **CAMp.** Placement due to a shortage of camp qualified inmates. Enter CAM to identify an inmate who is eligible or potentially eligible for camp placement.
- **DEAth sentence.** Inmate was formerly on death row or currently is sentenced to death.
- **DEPartmental review board.** Special placement ordered by the Departmental Review Board.
- **DISciplinary history.** Inmate's disciplinary record indicates a history of serious problems or threatens the security of the facility.
- **ENEmies.** One or more persons under the jurisdiction of CDC has been documented on a CDC Form 812 or 812-C as an enemy. This should also be used when

victimization is very probable due to case factors, such as where the nature of the offense will very likely create an enemy situation at certain institutions. Includes current Protective Housing Unit cases and those who are natural victims because of their appearance or commitment offense.

- **ESCape potential.** Unusual circumstances suggest the inmate is a much greater escape risk than indicated by his or her Placement Score. For example, the inmate verbalized intent to escape.
- **FAMily ties.** Inmate has strong family ties to a particular area where other placement would cause an unusual hardship.
- **GANG** involvement or affiliation. Documentation establishes that the inmate's gang association requires special attention or placement consideration.
- **HOLD**, warrant, or detainer likely to be exercised. For purposes of justifying a need for irregular placement based on a hold, the hold is to be active, be either a felony hold or USINS hold, and substantiating documentation must be located in the C-File.
- **INActive.** Documentation establishes that the inmate's inactive gang status requires special attention or placement consideration.
- **LIFe sentence.** Apply LIF to identify an inmate serving a life sentence or life sentences.
- **MEDical.** The inmate's medical condition requires treatment or continuing medical attention not generally available at all facilities.
- **OUT-to-court.** Inmate needs to be housed in a particular facility in order to be close to a court jurisdiction where the inmate is required to testify in court or is being prosecuted. Includes situations where involvement in a court trial is anticipated because a disciplinary has been referred to the district attorney. Also, use this designation when a BPT appearance is imminent.
- **POPulation pressures.** Shall be used by a CSR only. No beds presently exist at an institution with a security level indicated by the inmate's Placement Score.
- **PRErelease.** The short time remaining to serve limits or otherwise influences placement or program options. This factor shall also be used when a release date is so close that transfer or starting a long-term program is not warranted and when a short release date warrants special placement or program consideration.
- **PSY**chiatric. A mental condition requires special treatment or may severely limit placement options. Includes Category B. Apply PSY to justify the administrative placement of an inmate who requires designated housing in accordance with an impacting DDP code.
- **PUBLIC** interest case. High notoriety of an inmate has caused public interest in the case and requires exceptional placement.
- **SCH**ool. Inmate is involved in an academic program which is not available at an institution security level consistent with the inmate's Placement Score. Apply SCH to identify an inmate currently participating in a Substance Abuse Program who is being retained out of level to complete the Substance Abuse Program.
- **SEX.** Inmate has a prior incidence of rape, oral copulation, sodomy, or a lewd and lascivious act which requires restricted custody or placement.

- **SOR.** Sexual orientation. Inmate's bisexual or homosexual orientation may require special placement.
- **TIME** to serve. Inmate's time to serve is long, requiring placement at a facility with a security level higher than that indicated by the inmate's Placement Score.
- **VIO**lence. Inmate has a current or prior conviction for a violent felony, or a sustained juvenile adjudication including, but not limited to, those listed under PC § 667.5(c), which, as determined by the CSR, requires placement in a facility with a higher security level than that indicated by the inmate's Placement Score.
  - A sustained juvenile adjudication means a guilty determination or ruling rendered in a juvenile judicial proceeding.
  - In addition, the following administrative determinations regarding allegations of violent acts, including but not limited to those offenses described in PC § 667.5(c), shall have the same force and effect as a current or prior conviction for a violent felony or a sustained juvenile adjudication:
    - Board of Prison Terms or Parole Hearings Division good cause finding, or;
    - CYA/Youthful Offender Parole Board sustained allegation, or;
    - a probation violation finding in a court of law.
- **VOC**ational training. Inmate is involved in a vocational program which is not available at a facility with a security level which is consistent with the inmate's Placement Score.
- **WORK** skills. Inmate has a work skill in a critical trade for which special placement consideration may be warranted. This should also be used to request or approve work crew placements.

#### **Mental Health Level of Care (LOC) (Box 149)**

The CSR shall enter a "C" for CCCMS or an "E" for EOP in box 149 to identify the inmate's mental health LOC only at the time of endorsement.

#### **Institution Approved (Boxes 150-156)**

Print the first two, three, or four initials of the institution or facility name in boxes 150-153. Print the security level, subfacility designation, or program in boxes 154-156. Enter only one letter or number in each box. Empty boxes should be to the right.

For example, Sierra Conservation Center, Level I is recorded as:

S	C	C		I		
---	---	---	--	---	--	--

CSP, San Quentin, Level II is recorded as:

S	Q			I	I	
---	---	--	--	---	---	--

California Institution for Men, Minimum is recorded as:

C	I	M		I		
---	---	---	--	---	--	--

North Kern State Prison, Level III is recorded as:

N	K	S	P	I	I	I
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Endorsement to the Restitution Center is recorded as:

L	A			C	C	C
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#### **Reason for Administrative or Irregular Placement (Boxes 157-159)**

The CSR or authorized staff completes this item only if the security level approved is not commensurate with the inmate's Placement Score. If the level does not correspond, the CSR or authorized staff shall enter the reason for the administrative or irregular placement, using the appropriate administrative determinant code to justify placement.

Some case factors affect placement because of administrative policy requirements. Policy-determined factors are "administrative determinants" and placements in a facility based on these, which do not correspond to the inmate's Placement Score, are "administrative placements."

There are also special case factors that, while not governed by policy, influence placement by determining program priorities. For example, the inmate's score level is reduced, but he or she is retained in a higher security level to complete academic or vocational training, or to fill a skilled worker position, or the population is such that no suitable bed at the inmate's security level is immediately available. When placement occurs under such circumstances, it shall be recorded as an "irregular" placement.

#### **61010.12 RC Transfer Disagreements**

If the RC's Associate Warden disagrees with the CSR's action, the inmate shall be retained at the RC while the case is presented to another CSR. If a second CSR does not resolve the issue, the Chief, Classification Services Unit, shall be contacted for a decision.

#### **61010.13 CSR Special Transfer Review**

RC cases determined to require security housing placement shall be presented for routine CSR review.

#### **61010.14 CSR Review of Transfer Delays**

If an inmate is not transferred within 120 days from the date of CSR endorsement, the endorsed case awaiting transfer shall be presented to the CSR prior to the 121<sup>st</sup> day for an additional 120-day extension upon written documentation confirming that there is no change to case factors and that endorsement remains appropriate.

A subsequent 120-day extension shall require the CCI and the CCII Supervisor to audit the central file. The CCI and CCII shall complete a formatted CDC Form 128-G, Classification Chrono.

The request for a 120-day extension of a CSR endorsement shall not require a classification committee action unless case factors have changed or other information is identified which renders the CSR endorsement to be no longer appropriate.

An endorsed case awaiting transfer may be extended no more than twice beyond the initial 120-day period.

#### **61010.15 Processing of Inmates Into Community Correctional Facilities (CCF)**

The efficient and timely processing of inmates into CCFs requires the sharing of information, cooperation and coordination among the staff of CDC institutions, transportation, and non-State private vendors. Parole Violators Returned to Custody are eligible to be processed via the Detention Processing Unit to a Community Correctional Facility.

#### **Institutions' Function/Responsibility**

Inmates shall be processed from RC, and program institutions. The sending institution shall screen and approve inmate placement in CCFs per established placement criteria.

#### **Documents to be Forwarded**

Institutional records' staff shall prepare the CDC Form 135, Inmate Transfer Record, and copies of Central File (C-file)

documents per CDC Form 1740, Community Correctional Facilities Field File Checklist, to accompany the inmate.

Institution records' staff shall update Offender Based Information System (OBIS).

Institution records' staff shall forward the C-file the day after the inmate is transferred, to the CCF records office.

Institution staff shall coordinate with the appropriate regional transportation unit regarding the number of inmates to be transferred and to schedule their movement.

#### **Regional Transportation Unit Responsibilities**

Regional transportation staff shall coordinate with the CC III/Classification & Parole Representative (C&PR) and facility staff to ensure the timely movement of inmates to and from CCF. All incoming movement is coordinated with Institutions Division and then disseminated to the Regional Hubs with pick-up dates and number of inmates.

#### **CCF Responsibilities**

Coordinate with regional transportation units and institution CC-III/C&PR to ensure timely movement of inmates.

The receiving facility staff shall ensure a signed CDC Form 127, Notification in Case of Inmate Death, Serious Injury, or Serious Illness, and a release of information is obtained from each inmate at the intake interview.

The facility staff shall ensure existing guidelines are followed for the return of inmates who are, or become, unacceptable for their program.

#### **61010.16 Endorsement of Cases Paroled from RCs**

All inmates who are delivered to a reception center to serve a term in CDC shall receive an endorsement from a CSR or other staff member specifically authorized to act in that capacity. This requirement is not waived for inmates who parole from RCs. This endorsement is required by departmental data systems and shall be obtained for every inmate received by the CDC. This does not apply to "paper commitments" (inmates who are committed to CDC but are not delivered to the RC).

The CSR shall enter the date of endorsement and enter the institution abbreviation followed by the letters "RC"; e.g. "NKSP-RC" with an irregular placement reason of "PRE." The endorsement may be completed by an RC CCIII in the absence of a CSR.

#### **61010.17 Revisions**

The Deputy Director, Institutions Division, or designee shall ensure that the content of this section is current and accurate.

#### **61010.18 References**

PC §§ 1203 and 2930.

CCR (15) §§ 3000 and 3375.